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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/437,418	11/10/99	KARBASSI	S M10-25447

000128
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MMC2/0718

EXAMINER

MARTIR, L

ART UNIT

PAPER NUMBER

2855

DATE MAILED:

07/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/437,418

Applicant(s)

KARBASSI ET AL.

Examiner

Lilybett Martir

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 17 May 2001 is: a) ☐ approved b) ☒ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED 2nd ACTION

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," **and claim language such as "includes"**, etc.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In claims 1 and 18 the recitation of "so that the element surface and the housing surface are substantially coplanar" makes said claim indefinite, since it is not clearly disclosed by the applicant to which plane is he referring to and to which plane are both elements are substantially coplanar to.

- In claim 25 the recitation of “so that the element surface and the external housing surface are substantially coplanar” makes said claim indefinite, since it is not clearly disclosed by the applicant to which plane is he referring to and to which plane are both elements are substantially coplanar to.
- In claim 18 the recitation of “so that the element surface and the housing surface face in a common direction” makes said claim indefinite, since it doesn't define which common direction they share and what surfaces share said direction.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-5, 11, 18, and 25-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Ip (Pat. 6,040,625). Ip discloses the claimed invention, including:

- A sensor package that includes a force sensing as in element 20 having an element surface, a housing having a housing surface as in element 40, and a well extending into the housing through the housing surface as noted in

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- element 40 in Fig. 1, wherein the housing is arranged to support the force sensing element within the well so that the element surface and the housing surface are substantially coplanar (Fig. 2), as in claim 1.
- The sensing element 20 having a thickness, wherein the housing includes a shelf as in element C, wherein the shelf supports the sensing element within the well as can be noted in Fig. 4, and wherein the shelf has a depth with respect to the thickness of the sensing element such that the element surface protrudes above the housing surface as does element 82, as in claim 2.
 - The sensing element 20 having a thickness, wherein the housing includes a shelf as in element C, wherein the shelf supports the sensing element within the well as can be noted in Fig. 4, and wherein the shelf has a depth with respect to the thickness of the sensing element such that the element surface is depressed with respect to the housing surface (Col. 1, lines 31-33), as in claim 3.
 - The sensing element 20 having a thickness, wherein the housing includes a shelf as in element C, wherein the shelf supports the sensing element within the well as can be noted in Fig. 4, and wherein the shelf C has a depth substantially matching the thickness of the sensing element 20 as can be noted in Fig. 6, as in claim 4.
 - Wherein the housing has a connection pad within the well as in element 32, where the sensing element has a connection pad as in element 34, where the connection pads of the housing and the sensing element are electrically

- coupled together when the sensing element is supported by the shelf of the housing as noted in Figure 5A, as in claim 5.
- Wherein the housing has a connection pad as in element 32, where the sensing element has a connection pad as in element 34, where the connection pads of the housing and the sensing element are electrically coupled together when the sensing element is supported by the shelf of the housing as noted in Figure 5A, as in claim 11.
 - A sensor package that includes a force sensing as in element 20 having an element surface, a housing having a housing surface as in element 40, a well as noted in element 40 in Fig. 1, and first and second shelves within the well as noted in element C in Fig. 1, wherein the housing is arranged to support the force sensing element within the well so that the element surface and the housing surface are substantially coplanar (Fig. 2), and so that the element surface and the housing surface face in a common direction as noted in Fig. 1 as in claim 18.
 - Regarding method claims 25-29, said claims are inherently disclosed as part of Ip's invention.

Response to Arguments

Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lilybett Martir whose telephone number is (703)305-6900. The examiner can normally be reached on 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Fuller can be reached on (703)308-0079. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-3432 for regular communications and (703)305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.



Lilybett Martir
Examiner
Art Unit 2855



July 10, 2001



Benjamin R. Fuller
Supervisory Patent Examiner
Technology Center 2800